

CHAPTER 91
CRITERIA FOR RATING AND RANKING PROJECTS
FOR THE WATER POLLUTION CONTROL STATE REVOLVING FUND

[Prior to 7/1/83, DEQ 19.2(12)]

[Prior to 12/3/86, Water, Air and Waste Management[900]]

567—91.1(455B) Statutory authority. The authority for the Iowa department of natural resources to administer the clean water state revolving fund (CWSRF) to assist in the construction of wastewater treatment facilities and water pollution control works is provided in Iowa Code sections 455B.291 to 455B.299. The requirement to have selection criteria and a method for selecting projects or programs for loans is provided in 40 CFR Part 35.3150, July 1, 2002.

567—91.2(455B) Scope of title. The department has jurisdiction over the surface water and ground-water of the state to prevent, abate and control pollution. As part of that general responsibility, the department and the Iowa finance authority are jointly designated to conduct the administration of the CWSRF loan assistance program to assist in the financing of infrastructure projects pursuant to the Clean Water Act. A project must comply with this chapter and 567—Chapter 92 or 567—Chapter 93 to be eligible for a CWSRF loan. This chapter provides the rating criteria to be used to rank eligible projects for funding. Rating criteria are provided for point source projects and nonpoint source projects. The nonpoint source projects are divided into three activities:

1. Livestock water quality facilities;
2. Local water protection projects; and
3. General nonpoint source projects.

Rating criteria for onsite wastewater systems are not included at this time because the loan assistance is based on a first-come, first-funded concept.

567—91.3(455B) Purpose of water pollution control state revolving fund. The WPCSRF provides financial assistance to eligible water pollution control works for the design and construction of facilities to protect and improve the state's water quality. The fund reserves a percentage of money each year for administrative purposes. The Iowa department of natural resources (department) administers the program, along with the Iowa finance authority (authority). The director will coordinate with the authority under the terms of an interagency agreement entered into pursuant to Iowa Code chapter 28E. The department establishes priorities for the use of the WPCSRF and publishes them each year in its intended use plan (IUP).

The financial assistance is described in more detail in 567—Chapter 92. This chapter identifies the criteria that are used to rate projects and activities, both point source and nonpoint source projects and activities. This chapter describes how the criteria will be used to calculate a total score for ranking projects. The commission is to set funding targets for point source and nonpoint source activities and to adjust the fundable project list to ensure that the short- and long-term goals of the IUP are achieved. The public has an opportunity annually to comment on both the fundable list and the short- and long-term goals of the intended use plan.

567—91.4 and 91.5 Reserved.

567—91.6(455B) General information—priority rating system. The department shall use the priority rating system to rate eligible projects for funding. An eligible project may be either a point source project or a nonpoint source project or activity. A nonpoint source project activity must be identified in the most recent Iowa nonpoint source management program to be considered eligible.

567—91.7 Reserved.

567—91.8(455B) Project priority rating system.

91.8(1) Point source rating criteria. The point source rating criteria consider the use classification of the receiving waters, water quality of the receiving waters, compliance status of the discharger, project benefits, readiness to proceed and a tiebreaker. Priority ranking for the projects shall be based on the total points awarded for all the categories; the greater the total number of points, the higher the ranking. The ranking will be done annually at the time the IUP is prepared and will not be updated during the year. The tiebreaker category will be used when necessary.

a. Use classification of receiving waters. This category addresses the receiving water that is impacted or potentially impacted by the existing situation and that would be improved or protected by the proposed project. Points shall be awarded and shall be cumulative for all designated use classifications of the receiving stream. Points for sludge stabilization, sewers and lift station projects normally will be based on the assigned use of the waters that receive or could receive the effluent discharge.

Use and Classification	Points
Outstanding national resource waters	50
High quality waters	40
High quality resource waters	20
Class A1 waters	50
Class A2 waters	45
Class A3 waters	45
Class C waters	40
Class B (CW1) waters	50
Class B (CW2) waters	30
Class B (WW) waters	30
Class B (LW) waters	35
Class B (LR) waters	25

b. *Water quality of receiving waters.* This category addresses the quality of water in the receiving stream and whether or not the water has been designated as impaired for some uses. Bodies of water that are impaired by pollutants are identified as Section 303(d) waters. The Section 303(d) list of waters also identifies probable pollutant source categories for these impairments. Projects that primarily impact these waters are awarded points if the water body that receives or could receive the wastewater discharge is included on the Section 303(d) list and the probable pollutant source is a point source. Waters are also identified in the Section 305(b) report on their use attainment status. Projects that primarily impact these waters are awarded points depending on the use impairment identified for the water body that receives or could receive the wastewater discharge. If no use impairment is identified indicating the water was not assessed, the partially supporting status points will be awarded. Points will be awarded for both sections and then totaled for this category.

Indication of water quality	Points
A	
Section 303(d) listed water	
High rating for total maximum daily load (TMDL) development	45
Medium rating for TMDL development	35
Low rating for TMDL development	25
B	
Section 305(b) status	
Fully supporting	10
Fully supporting/threatened	15
Partially supporting	20
Not supporting	30
Not assessed	20

c. *Compliance status.* This category addresses the compliance status of the proposed project. To provide an incentive for municipal facilities to maintain compliance, more points are given to projects that are in compliance with their NPDES discharge permit when they apply for a loan. Projects that are not in compliance at the time of application, have bypasses, have received administrative orders from the department or have been referred for legal action are given fewer points than a project in compliance. Unsewered community projects will be considered to be in compliance if they are taking action to eliminate public health problems or water quality problems, or both, prior to formal action by the department.

Compliance Status	Points
Has been referred to Iowa attorney general for discharge violation	30
Received administrative order from DNR for discharge violations	25
Compliance schedule in NPDES permit—existing discharge requirements are not being met	20
Compliance schedule in NPDES permit—new discharge requirements are being imposed	40
Bypassing has been reported in previous 12 months	15
Discharge has met all NPDES permit requirements for 24 months (at time of application)	50
Unsewered community and has initiated project on its own	50
Unsewered community and has received an administrative order from DNR	25

d. *Project benefit.* This category incorporates several factors including type of project and the relative level of the impact on public health and the environment. Points will be awarded for the primary benefit.

Project Benefits	Points
Protection of public health; corrective measures for problems that pose a clear and direct impact on human health. Examples are sewer backups into basements and sewer overflows impacting populated areas.	40
Protection of the environment; corrective measures for problems that pose a clear and direct impact on water quality and the environment. Examples are effluent violations and combined sewer overflows.	30
Prevention of the development of problems that will have an impact on public health and the environment. Examples are upgrading a treatment facility for anticipated growth and replacement of a lift station beyond design life.	20


e. *Readiness to proceed.* This category addresses overall readiness to proceed with project construction. Points can be received for reaching multiple milestones.

Project Status	Points
The project is following the permit application process outlined in department guidance.	20
The applicant has prepared the environmental information document including clearances from other agencies and has submitted the materials to the department.	10
The department and the applicant have agreed on the project schedule and design loading criteria.	10

f. *Total points.* Total points are calculated using the following formula:
Total Points = Use Classification + Water Quality (A) + Water Quality (B) + Compliance Status + Project Benefit + Readiness

g. *Tiebreaker.* Two or more projects may receive the same total points on the fundable list. If sufficient state revolving loan funds are not available to fund the projects, ties will be broken by determining which project has the highest score in each category in the following order:

- Water Quality of Receiving Streams (A)
 - Water Quality of Receiving Streams (B)
 - Use and Classification
 - Project Benefits
 - Compliance Status
 - Readiness to Proceed
- Highest



Lowest

91.8(2) Reserved.

567—91.9(455B) Livestock water quality facilities priority rating criteria system.

91.9(1) *Livestock water quality facilities rating system.* The livestock water quality facilities rating criteria consider the use classification of the receiving waters, water quality of the receiving waters, open feedlot plan rating and a tiebreaker. Priority ranking for the projects is based on the total points awarded for all the categories; the greater the total number of points, the higher the ranking.

a. Use classification of receiving waters. This category addresses the receiving water that is impacted or potentially impacted by the existing operation and that would be improved or protected by the proposed project. Points shall be awarded and shall be cumulative for all designated use classifications of the receiving stream. The manure application sites, feedlots, lagoons and basins, and manure and litter storage areas should be considered when determining the points to be awarded.

Use and Classification	Points
Outstanding national resource waters (proposed water use)	50
High quality waters	40
High quality resource waters	20
Class A1 waters	50
Class A2 waters	45
Class A3 waters	45
Class C waters	40
Class B (CW1) waters	50
Class B (CW2) waters	30
Class B (WW) waters	30
Class B (LW) waters	35
Class B (LR) waters	25

b. Water quality of receiving waters. This category addresses the quality of water in the receiving stream and whether or not the water has been designated as impaired for some uses. Bodies of water that are impaired by pollutants are identified as Section 303(d) waters. The Section 303(d) list of waters also identifies probable pollutant source categories for these impairments. Projects that primarily impact these waters are awarded points if the water body that receives or could receive the discharge is included on the Section 303(d) list and the probable pollutant source is a nonpoint source. Waters are also identified in the Section 305(b) report on their use attainment status. Projects that primarily impact these waters are awarded points depending on the use impairment identified for the water body that receives or could receive the discharge. If no use impairment is identified, the fully supporting status points will be awarded. Points will be awarded for both sections and then totaled for this category.

Indication of water quality	Points
A	
Section 303(d) listed water	
Identified as probable source or contributing to problem: Nonpoint source (if nonpoint sources are not the probable source of pollution, the following points are to be used)	100
High rating for TMDL development	90
Medium rating for TMDL development	80
Low rating for TMDL development	70
B	
Section 305(b) status	
Fully supporting	10
Fully supporting/threatened	20
Partially supporting	30
Not supporting	40

c. Iowa open feedlot plan rating. This category incorporates the rating given the animal feeding operation from the Iowa open feedlot plan.

Iowa Open Feedlot Plan Rating	Points
High	40
Medium	30
Low	20
Unranked	10


d. Total points. Total points are calculated using the following formula:

Total Points = Use and Classification + Water Quality (A) + Water Quality (B) + Iowa Open Feedlot Plan Rating

e. Tiebreaker. Two or more projects may receive the same total priority points. If sufficient state revolving loan funds are not available to fund the projects, ties will be broken by determining which project has the highest score in each category in the following order:

- Water Quality of Receiving Streams (A)
 - Water Quality of Receiving Streams (B)
 - Use and Classification
 - Iowa Open Feedlot Plan Rating

Highest



Lowest

91.9(2) Reserved.

567—91.10(455B) Local water protection projects rating system.

91.10(1) *Local water protection projects rating criteria.* The local water protection projects rating criteria consider the use classification of the receiving waters, water quality of the receiving waters, the watershed management planning status in the watershed where the project is located and a tiebreaker. Priority ranking for the projects is based on the total points awarded for all the categories. The greater total number of points, the higher the ranking.

a. Use classification of receiving waters. This category addresses the receiving water use classification that would be improved or protected by the proposed project. Points shall be awarded and shall be cumulative for all designated use classifications of the receiving stream.

Use and Classification	Points
Outstanding national resource waters (proposed water use)	50
High quality waters	40
High quality resource waters	20
Class A1 waters	50
Class A2 waters	45
Class A3 waters	45
Class C waters	40
Class B (CW1) waters	50
Class B (CW2) waters	30
Class B (WW) waters	30
Class B (LW) waters	35
Class B (LR) waters	25

b. Water quality of receiving waters. This category addresses the quality of water in the receiving stream and whether or not the water has been designated as impaired for some uses. Bodies of water that are impaired by pollutants are identified as Section 303(d) waters. The Section 303(d) list of waters also identifies probable pollutant source categories for these impairments. Projects that primarily impact these waters are awarded points if the water body that receives or could receive the discharge is included on the Section 303(d) list and the probable pollutant source is a nonpoint source. Waters are also identified in the Section 305(b) report on their use attainment status. Projects that primarily impact these waters are awarded points depending on the use impairment identified for the water body that receives or could receive the discharge. If no use impairment is identified, the fully supporting status points will be awarded. Points will be awarded for both sections and then totaled for this category.

Indication of water quality	Points
A	
Section 303(d) listed water	
Identified as probable source or contributing to problem: Nonpoint source (if nonpoint sources are not the probable source of pollution, the following points are to be used)	100
High rating for TMDL development	90
Medium rating for TMDL development	80
Low rating for TMDL development	70
B	
Section 305(b) status	
Fully supporting	10
Fully supporting/threatened	20
Partially supporting	30
Not supporting	40

c. Watershed management planning status. This category incorporates the status of a watershed management plan.

Watershed Management Planning Status	Points
Watershed management plan developed and being implemented	40
Watershed management plan being developed	32
Watershed management plan does not exist	15
TMDL plan approved and being implemented	40
TMDL plan drafted	35
TMDL plan required in future	30
TMDL plan not required	20

d. Total points. Total points are calculated using the following formula:

Total Points = Use and Classification + Water Quality (A) + Water Quality (B) + Watershed Management Planning Status

e. *Tiebreaker.* Two or more projects may receive the same total priority points on the fundable list. If sufficient state revolving loan funds are not available to fund the projects, ties will be broken by determining which project has the highest score in each category in the following order:

- Water Quality of Receiving Streams (A)
 - Water Quality of Receiving Streams (B)
 - Use and Classification
 - Watershed Management Planning Status

Highest

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Lowest

91.10(2) Reserved.

567—91.11(455B) General nonpoint source projects rating system.

91.11(1) *General nonpoint source projects rating criteria.* The general nonpoint source rating criteria consider the use classification of the receiving waters, water quality of the receiving waters, the project benefits and a tiebreaker. Priority ranking for the projects is based on the total points awarded for all the categories. The greater total number of points, the higher the ranking.

a. *Use classification of receiving waters.* This category addresses the receiving water use classification that would be improved or protected by the proposed project. Points shall be awarded and shall be cumulative for all designated use classifications of the receiving stream.

Use and Classification	Points
Outstanding national resource waters (proposed water use)	50
High quality waters	40
High quality resource waters	20
Class A1 waters	50
Class A2 waters	45
Class A3 waters	45
Class C waters	40
Class B (CW1) waters	50
Class B (CW2) waters	30
Class B (WW) waters	30
Class B (LW) waters	35
Class B (LR) waters	25

b. Water quality of receiving waters. This category addresses the quality of water in the receiving stream and whether or not the water has been designated as impaired for some uses. Bodies of water that are impaired by pollutants are identified as Section 303(d) waters. The Section 303(d) list of waters also identifies probable pollutant source categories for these impairments. Projects that primarily impact these waters are awarded points if the water body that receives or could receive the discharge is included on the Section 303(d) list and the probable pollutant source is a nonpoint source. Waters are also identified in the Section 305(b) report on their use attainment status. Projects that primarily impact these waters are awarded points depending on the use impairment identified for the water body that receives or could receive the discharge. If no use impairment is identified, the fully supporting status points will be awarded. Points will be awarded for both sections and then totaled for this category.

Indication of water quality	Points
A	
Section 303(d) listed water	
Identified as probable source or contributing to problem: Nonpoint source (if nonpoint sources are not the probable source of pollution, the following points are to be used)	100
High rating for TMDL development	90
Medium rating for TMDL development	80
Low rating for TMDL development	70
B	
Section 305(b) status	
Fully supporting	10
Fully supporting/threatened	20
Partially supporting	30
Not supporting	40

c. *Project benefit.* This category incorporates several factors including type of project and the relative level of the impact on the environment. Points for only one benefit shall be awarded: when a project has more than one significant benefit, the benefit with the highest point value shall be used.

Benefits	Points
Implementation of TMDL plan	40
Eliminate pollution source discharging to:	
• Cold water stream	40
• Publicly owned lake	38
• Class C drinking waters	35
• Other surface waters	28
• Disinfection of wastewater	12
Eliminate pollutant source to groundwater	37
Eliminate or reduce public health problem	25
Protect, improve or expand wetlands area	31
Project improves lake habitat and water quality	26
Project improves stream habitat or eliminates hydromodification degradation	29
Urban storm water control program in non-MS4 area	5
Gain control of land needed to protect or improve water quality	15

d. *Total points.* Total points are calculated using the following formula:
Total Points = Use and Classification + Water Quality (A) + Water Quality (B) + Project Benefits

e. *Tiebreaker.* Two or more projects may receive the same total priority points on the fundable list. If sufficient state revolving loan funds are not available to fund the projects, ties will be broken by determining which project has the highest score in each category in the following order:

- Water Quality of Receiving Streams (A)
 - Water Quality of Receiving Streams (B)
 - Use and Classification
 - Project Benefits
- Highest

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Lowest

91.11(2) Reserved.

91.11(3) *Nontraditional projects.* Nontraditional projects are those in which the primary purpose of the project is other than to improve or protect water quality. Applications may be submitted for non-traditional projects. The applications will be scored using the general nonpoint source projects rating criteria. The traditional projects will be given first priority. If sufficient funds remain in the general nonpoint source set-aside, the nontraditional projects will be listed on the fundable list in priority order after all of the fundable traditional projects are listed.

These rules are intended to implement Iowa Code sections 455B.291 to 455B.298.

[Filed emergency 6/3/83—published 6/22/83, effective 7/1/83]

[Filed emergency after Notice 1/27/84, Notices 7/20/83, 11/9/83—
published 2/15/84, effective 2/15/84]

[Filed 6/29/84, Notice 3/14/84—published 7/18/84, effective 10/1/84]

[Filed 5/24/86, Notice 2/12/86—published 5/21/86, effective 6/30/86]

[Filed emergency 11/14/86—published 12/3/86, effective 12/3/86]

[Filed 1/22/88, Notice 11/18/87—published 2/10/88, effective 3/16/88]

[Filed 9/29/89, Notice 8/9/89—published 10/18/89, effective 11/22/89]

[Filed 7/19/91, Notice 5/15/91—published 8/7/91, effective 9/11/91]

[Filed 9/25/03, Notice 7/9/03—published 10/15/03, effective 11/19/03]

[Filed 2/24/06, Notice 12/21/05—published 3/15/06, effective 4/19/06]